



City of Seattle

Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2205601

Applicant Name: Julie Ledoux

Address of Proposal: 120 26th Ave E

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcels into two unit lots. Proposed unit lot parcel sizes are: A) 3,152.6 square feet; and B) 1,656.9 square feet. Construction of single family residence, SEPA and ECA review is under application number 2202720.

The following approval is required:

Short Subdivision - To subdivide one existing parcels into two unit lots.
(Chapter 23.24, Seattle Municipal Code)

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition, or
involving another agency with jurisdiction

BACKGROUND DATA

Site Description and Area Development

The subject property is located mid-block on 26th Avenue E between E John Street and E Denny Way. The site measures 4,808 square feet and is zoned Multi-family Residential Lowrise 2 (L2). The lot has approximately 40 feet of street frontage along 26th Avenue E and a depth of approximately 120 ft. At this location, 26th Avenue E is paved with curbs, gutters and sidewalks

on both sides of the street. The rear of the property is a designated critical area of steep slope. The applicant has obtained a limited ECA Exemption which waived the ECA Steep Slope development standards based on the fact that the steep slope appears to be independent and not connected to a large slope system.

The surrounding neighborhood is comprised of both a mixture of development and zoning. The subject property is zoned L2, across the alley the zone changes to L1 and north, across E John Street the zoning intensifies to L3. Despite the zoning, the development in the area is an assortment of multi-family structures and single family homes.

Proposal Description

The applicant proposes short subdivide one parcel into two unit lots. Proposed unit lot parcel sizes are: A) 3,152.6 square feet; and B) 1,656.9 square feet. Vehicular access to unit lot B is off the existing residential alley to a two car garage.

Public Comment

During the comment period, which ended on October 2, 2002, one comment letter was received. The inquiry came from a neighbor of the proposal who wanted to be kept informed about the review progress.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.40, no short subdivision shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Is designated to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction*

and/or transfer of title of townhouses, cottage housing, clustered housing, or single family housing.

Based on information proposed by the applicant, referral comments from DCLU, Seattle Public Utilities, Seattle Fire Department, Drainage, Seattle City Light, and review by the development analyst, the following findings are made with respect to the above-cited criteria:

1. The underlying construction permit for a detached single family residence (to be built behind the existing single-family structure) has been approved under Project #2204097. This related application was reviewed to meet all applicable provisions of the Land Use Code including density, lot coverage, setbacks, open space, parking, and access.

The proposed unit lot subdivision would allow separate ownership of the land associated with each of the single-family residences. This purpose is consistent with the provisions of SMC 23.24.045, Unit lot subdivisions.

2. All unit lot parcels will have direct vehicular access from an improved street or alley. The Seattle Fire Department has no objections to the proposed subdivision. Seattle City Light has approved the proposal and requested an Overhead/ Underground Easement.
3. The existing structure on site is connected to an 8-inch public sanity sewer (PSS) located in 26th Avenue E. All future units will likely attach to the existing 8-inch PSS. Seattle Public Utilities approved this proposal under WAC # 02-0959.
4. The Seattle Municipal Code seeks to preserve and maintain the physical character of single family residential areas in ways that both encourage and nurture housing opportunities for all the cities residents. The proposed short subdivision will meet all minimum Land Use Code provisions and will have adequate access for vehicles, utilities and fire protection. The project will be conditioned to provide for the proper display of addresses for the unit lot that does not have street frontage. In addition, the site also provides adequate drainage and sanitary sewer disposal. Therefore, the public use and interests are served by permitting the proposed subdivision.
5. The proposed subdivision is located in a mapped and identified environmentally critical area of steep slope. The site received an ECA Limited Exemption under DCLU project number 2204097. This Exemption waived the ECA steep slope development standards but still required an ECA Review. The ECA and SEPA and construction impact of this proposal were reviewed and approved under DCLU project number 2202720.
6. The subject site currently has no trees on the rear portion of the property as construction of the proposed unit has already begun. Unit lot A, however contains bountiful landscaping and shrubbery and trees which will remain. The applicant has proposed the addition of 10 caliper inches of new trees to the site in order to meet the obligations of the tree preservation and planting requirement for new multifamily development (SMC 23.45.015C). Thus, the tree preservation/planting condition is satisfied.

7. This section of the Land Use Code provides that lots for townhouses may be created, which do not individually meet the requirements for lot size, setbacks, density and structure width and depth. Review of this site plan shows that the proposed unit lot subdivision conforms to applicable standards of SMC 23.24.045, and applicable standards for townhouses in the L-2 zoning district.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and responsible party(s) shall:

1. Add the complete City light Easement language to the face of the plat.
2. Provide an easement, covenant or other agreement which provide for the posting of Unit lot B's address from a location that is visible from 26th Ave E.
3. Provide a note on the final plate which states; A unit lot is not a separate buildable lot, and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot shall be noted on the plat, as recorded with the director of king County Department of Records and Elections.
4. Provide final recording forms and fees.
5. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. All existing structures shall be shown on the face of the plat and their distances to the property lines dimensioned. Lot areas shall be shown on the plat. The location of all utilities shall be shown on the face to the plat. The short plat drawings shall be stamped by a licensed surveyor.

Signature: (signature on file) Date: March 17, 2003
Glenda Warmoth, Land Use Planner
Department of Design, Construction and Land Use
Land Use Services